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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/643,376 08/22/00 OLSON

T 00-0405-US

PM82/0829

EXAMINER

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ART UNIT	PAPER NUMBER

3632
DATE MAILED:

08/29/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/643,376

Applicant(s)

OLSON, TROY DANIEL

Examiner

Kofi A Schultersbrandt

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on August 22, 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-20 is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Art Unit: 3632

DETAILED ACTION

This first Office Action is in response to Applicant's originally filed application in this case.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The dovetail is positively recited in claims 6 and 7, however, it is not positively recited in claim 1 from which claims 6 and 7 depend.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1, 2, 4 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Paddock et al. (6,040,130). Paddock teaches each feature of the claimed invention.

Paddock teaches an a pair of pivoting arms (24, 26), positioned parallel to one another for unison operation, each of said pivoting arms including a distal end and a

Art Unit: 3632

proximal end, with each of said ends including an aperture (32, 34) extending therethrough. Paddock teaches first and second pivoting ends (20, 22), each having at least a pair of pivoting flanges (end portion of 20 and 22 that are bolted to the arms 24 and 26) projecting therefrom, each of said pivoting flanges having an aperture (32, 34) extending therethrough, aligned with said apertures of said proximal and distal ends, respectively, and means (bolts at 28, 30, 34 and 32) for pivotally attaching said pivoting flanges of said first and second pivoting ends with that of said distal and proximal ends of said pivoting arms, and means (14) for attaching said first pivoting end to a tooling machine; and means (16) for pivotal attachment of a dovetail to said second pivoting end.

In claim 2, each of the pivoting arms are formed in an elongated configuration and further comprises a pivoting slot (slot in which 20, 22 are received into the arm for attachment at 28, 30, 34 and 32) located at the distal and proximal ends, the pivoting slot being geometrically configured to slidably accept the pivoting flange therebetween.

In claim 4, the first and second pivoting ends each include a cylindrical space (space through which 46, passes) bored to a predetermined depth.

In claim 8, Paddock teaches a pivoting end attachment means (bolts that attach at 28, 30, 32, 34) comprising a pivoting screw extending through the alignable apertures of the distal and proximal ends and the first and second pivoting ends, respectively, a pair of washers (col. 3, ln. 64—col. 4, ln. 9) slidably fitted on the pivoting screw between the pivoting end and the distal and proximal ends to promote slidable pivotal movement of said pivoting arms about said pivoting screw (53) and a pivoting nut (54) threadably

Art Unit: 3632

engaged to the end of said pivoting screws to tighteningly secure said pivoting arms to said pivoting ends.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Paddock et al. (6,030,130) as applied to claim 1 above, and further in view of Sharber et al.

(4,953,882). Paddock and Sharber teach each feature of the claimed invention.

In claim 3, Paddock teaches all of the features of the claimed invention except a mounting shank. Sharber teaches a mounting shank 32 attached to the first pivoting end 22 having a cylindrical configuration to adaptably fit within the space defined by a spindle of the tooling machine. It would have been obvious at the time of invention to have modified Paddock's pivoting end (20, 22) to include Sharber's shank 32 to be attached to a tooling machine for the purpose of supporting the arms therefrom because it is well known that tooling have means for gripping shanks.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Paddock (6,030,130) as applied to claim 1 above, and further in view of Spencer et al.

(5,481,986). Paddock teaches each feature of the present invention except a plurality of apertures extending therethrough for reduction of weight thereof. Spencer, however, teaches lightening holes for reduction of weight (col. 5, lns. 57-59). It would have been

Art Unit: 3632

obvious at the time of invention to modify Paddock's arms 24, 26 to have fitted Paddock with the lightening holes of Spencer to lighten the arm of Spencer for the purpose of designing a support arm with a higher strength to weight ratio.

Allowable Subject Matter

Claim 9-20 are allowed.

Claims 6 and 7 would be allowed if rewritten to overcome (positively recite the dovetail in each of claims 1, 6 and 7) their rejection under 35 U.S.C. 112, second paragraph.

The following is a statement of reasons for the indication of allowable subject matter: In claims 6, 7 and 9-20, the prior art does not disclose dovetail attachment means.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. to Nilsen et al., '602; to Voeller et al., '693; to Jaakkola, '591; to Reynoso et al., '920.

The above patents disclose various types of parallel arm supports.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kofi A. Schulerbrandt whose telephone number is

Art Unit: 3632

(703) 306-0096. The examiner can normally be reached on Monday - Friday, 8:00 a.m. -5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on (703) 308-2156. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3597 for formal communications and (703) 305-3519 for informal communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Kofi Schulterbrandt
August 23, 2001


LESLIE A. BRAUN
SUPERVISORY PATENT EXAMINER